



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re: Application of:
Darci T. HORNE *et al.*
Application No.: 09/880,107
Filed: June 14, 2001
For: GENE EXPRESSION PROFILES
IN LIVER CANCER

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Group Art Unit: 1634

Examiner: Chakrabarti, A.K.

JUL 23 2002
TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO ELECTION REQUIREMENT

In response to the Election Requirement dated June 20, 2002 (Paper No. 7), the period for reply to which extends through July 22, 2002, Applicants hereby elect with traverse the invention identified in the Office Action as Group I, claims 1-3, 5-7, 9-11, and 13, drawn to a method of diagnosis of a disease. In addition, in response to the requirement set forth in paragraph 12 of the Office Action that Applicants elect two sequences form Tables 3-9, Applicants hereby elect with traverse the sequences disclosed as SEQ ID NOS: 2492 and 3847. An action on the merits is requested.

Applicants believe that no fees are required with this filing, however, except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a

CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

July 22, 2002

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